

Jacobson Holman PLLC

TELEPHONE
(202) 638-6666THE JENIFER BUILDING
400 SEVENTH STREET, N.W.
WASHINGTON, D.C. 20004RECEIVED
CENTRAL FAX CENTER

FEB 15 2005

FACSIMILE
(202) 393-5350

February 15, 2005

TO FAX NO.: (703) 872-9306 (PTO central fax number)

PAGES : 2 (including this cover sheet)

TO : U.S. Patent and Trademark Office, Group Art Unit 3736

EXAMINER : Matthew Kremer

APPL. NO. : 10/730,102

FROM : Linda J. Shapiro, Reg. No. 28,264

ATTY DOCKET
NO. : P65684US2

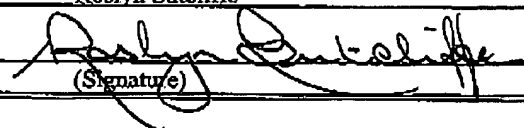
~~xxx~~ Attached for entry and consideration: (1) Petition Under 37 CFR § 1.97(d) Requesting Consideration of Information Disclosure Statement, (2) Information Disclosure Statement And Certification, (3) Form PTO-1449, and (4) Credit Card Payment Form.

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office (Fax No. (703) 872-9306) on February 15, 2005.

Typed or printed name of person signing this certificate:

Roslyn Sutcliffe


(Signature)

The information contained in this facsimile communication is

PRIVILEGED AND CONFIDENTIAL

and is intended only for the use of the individual or entity named above. Any dissemination, distribution or copying of this communication or any portion of it by anyone other than the intended recipient or the employee or agent responsible to deliver it to the intended recipient, is **strictly prohibited**. If this communication is received in error, please notify us immediately by telephone, and return the original message to us at the above address via the U.S. Postal Service.

RECEIVED
CENTRAL FAX CENTER

FEB 15 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Robert R. STEUER et al.

Serial No. 10/730,102

Filed: December 9, 2003

For: SENSOR FOR TRANSCUTANEOUS
MEASUREMENT OF VASCULAR
ACCESS BLOOD FLOW

Confirmation No.: 2670

Art Unit: 3736

Examiner: Matthew Kremer

Atty Docket: P65684US2

PETITION UNDER 37 CFR § 1.97(d)
REQUESTING CONSIDERATION OF INFORMATION DISCLOSURE STATEMENTCommissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Because a final Office Action or a Notice of Allowance has been mailed, Applicant petitions under 37 CFR § 1.97(d), requesting consideration of the accompanying Information Disclosure Statement (IDS). A Credit Card Payment Form for the Petition fee under 37 CFR § 1.17(p) is enclosed, along with a Certification under 37 CFR § 1.97(e). The Commissioner is authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 06-1358.

Respectfully submitted,

JACOBSON HOLMAN PLLC

Date: February 15, 2005Customer No. 00,136
400 Seventh Street, N.W.
Washington, D.C. 20004
(202) 638-6666By: Linda J. Shapiro
Registration No. 28,264

P65684US2 Petition for entry of IDS.wpd

RECEIVED
CENTRAL FAX CENTER

FEB 15 2005 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	:	
	:	
Robert R. STEUER et al.	:	Confirmation No.: 2670
	:	
Serial No. 10/730,102	:	Art Unit: 3736
	:	
Filed: December 9, 2003	:	Examiner: Matthew Kremer
	:	
For: SENSOR FOR TRANSCUTANEOUS	:	Atty Docket: P65684US2
MEASUREMENT OF VASCULAR	:	
ACCESS BLOOD FLOW	:	
	:	
	:	

**INFORMATION DISCLOSURE STATEMENT AND
CERTIFICATION IN ACCORDANCE WITH 37 CFR §1.97(e)**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the duty of disclosure under 37 CFR §§ 1.56 and 1.97-1.99, the documents listed on the attached Form(s) PTO-1449 are being brought to the attention of the Examiner in charge of the above-identified application. In accordance with 37 CFR 1.98, copies of U.S. patents and published U.S. patent applications are not submitted.

A certification in accordance with 37 CFR §1.97(e) is included herein.

In accordance with 37 CFR § 1.97(g) and (h), the filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made, or as an admission

02/16/2005 EKOLI1 00000003 10730102

-1-

01 FC:1806

180.00 OP

that the information cited herein is, or is considered to be, material to patentability as defined in 37 CFR § 1.56(b).

Applicant does not waive any rights to appropriate action to establish patentability over the listed documents should they be applied as references against the claims of the present application.

RELEVANCE OF THE DOCUMENTS

All of the documents were cited in a Notice of References Cited (Form PTO-892) accompanying the Notice of Allowance and Fees Due issued in connection with related application No. 10/730,005, which is a divisional of the parent of the present application.

CERTIFICATION UNDER 37 § CFR 1.97(e)(2)

Applicant's undersigned counsel hereby certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of applicant's undersigned counsel after making reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this statement.

Because a final Office Action or a Notice of Allowance has been mailed, a Petition under 37 CFR § 1.97(d) requesting consideration of the accompanying Information Disclosure Statement (IDS) is enclosed, along with the Petition fee under 37 CFR § 1.17(p). If a separate Petition is missing, then consideration of the IDS is hereby petitioned. The Commissioner is authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 16-1358.

CONCLUSION

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO-1449, and to similarly indicate in the official file wrapper of this patent application that the listed documents have been considered.

If the Examiner has any questions or wishes to discuss this application, the Examiner is invited to telephone the undersigned representative at the number set forth below.

Respectfully submitted,

JACOBSON HOLMAN PLLC

Date: Feb. 15, 2005

Customer No. 00,136
400 Seventh Street, N.W.
Washington, D.C. 20004
(202) 638-6666

By: 

Linda J. Shapiro
Registration No. 28,264